IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 9889 OF 1998
IN
APPEAL FROM ORDER ST.NO.18862 OF 1998

Amarish Manubhai Patel. ... Applicant.
Versus.
Chabildas Madhavbhai Khatri & anr. ... Respondents.

CORAM : ABHAY S. OKA, J.

DATED : 18th January, 2005.

P.C.:

1. Notice issued to the Respondent No.1 is still unserved. None appears for the Applicant/Appellant. By the present Appeal from Order, the challenge is to the order dated 24th February 1998. By the said order, Application made by the Appellant for framing of preliminary issue of jurisdiction has been rejected. An Appeal from Order is not maintainable against the impugned order. Hence the Civil Application for condonation of delay is not entertained as the Appeal from Order is not maintainable. The Civil Application is rejected with no order as to costs.

Judge.